

BUSINESS REPORT

**MONTANA HOUSE OF REPRESENTATIVES
61st LEGISLATURE - REGULAR SESSION**

HOUSE AGRICULTURE COMMITTEE

Date: Thursday, April 9, 2009

Time: 10:30 am

Place: Capitol

Room: 472

BILLS and RESOLUTIONS HEARD:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Add Postponed (PP) when appropriate:

EXECUTIVE ACTION TAKEN:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Enter P(pass) F(failed) DPAA (do pass as amended) BC(be concurred in) BCAA (be concurred in as amended):

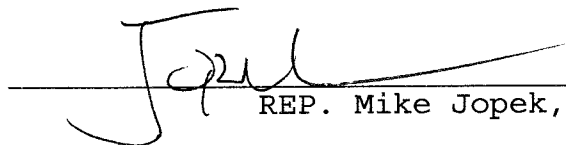
SB204 BC SB55 BCAA _____

SB343 BC SB300 BC _____

SB214 BCAA SB38 BC _____

SB322 BCAA SB167-TieVote-F _____

COMMENTS:



REP. Mike Jopek, Chairman

HOUSE OF REPRESENTATIVES
Roll Call
Agriculture COMMITTEE

DATE: April 9, 2009

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
Representative French	✓	
Representative Butcher		✓
Representative Roundstone	✓	
Representative Bean	✓	
Representative Furey		✓
Representative Regier		✓
Representative Fleming	✓	
Representative Randall		✓
Representative Howard	✓	
Representative Kerns	✓	
Representative Taylor		✓
Representative Dickenson		✓
Representative Wagner	✓	
Representative Caferro		✓
Representative Warburton		✓
Representative McClafferty	✓	
Representative Hoven	✓	
Representative MacDonald	✓	
Representative Belcourt	✓	
Chairman Jopek	✓	



HOUSE STANDING COMMITTEE REPORT

April 14, 2009
Page 1 of 1

Mr. Speaker:

We, your committee on **Agriculture** recommend that **Senate Bill 214** (third reading copy – blue) be concurred in as amended.

Signed: _____

Representative Mike Jopek, Chair

To be carried by Representative Tony Belcourt

And, that such amendments read:

1. Page 2, line 1.

Following: "45-6-327;"

Insert: "and"

2. Page 2, line 4 through line 10.

Following: "45-6-327" on line 4

Strike: "; and" on line 4 through "consent" on line 10

3. Page 7, line 5.

Strike: "\$10,000"

Insert: "\$5,000"

4. Page 7, line 26.

Strike: "\$10,000"

Insert: "\$5,000"

- END -

Committee Vote:

Yes 19, No 1

Fiscal Note Required ____

SB0214001SC06457.hjd



HOUSE STANDING COMMITTEE REPORT

April 14, 2009

Page 1 of 1

Mr. Speaker:

We, your committee on **Agriculture** recommend that **Senate Bill 343** (third reading copy – blue) **be concurred in.**

Signed: _____

Representative Mike Jopek, Chair

To be carried by Representative Janna Taylor

- END -

Committee Vote:

Yes 16, No 4

Fiscal Note Required ☐

SB0343001SC03840.hjd



HOUSE STANDING COMMITTEE REPORT

April 14, 2009

Page 1 of 1

Mr. Speaker:

We, your committee on **Agriculture** recommend that **Senate Bill 204** (third reading copy – blue) **be concurred in.**

Signed: _____

Representative Mike Jopek, Chair

To be carried by Representative Julie French

- END -

Committee Vote:

Yes 14, No 6

Fiscal Note Required ____

SB0204001SC05148.hjd



HOUSE STANDING COMMITTEE REPORT

April 14, 2009

Page 1 of 2

Mr. Speaker:

We, your committee on **Agriculture** recommend that **Senate Bill 322** (third reading copy – blue) **be concurred in as amended.**

Signed: _____

Representative Mike Jopek, Chair

To be carried by Representative J. David Roundstone

And, that such amendments read:

1. Title, line 7.

Strike: "REGISTRATION PROVISIONS"

Insert: "APPLICATION AND REREGISTRATION FEES"

2. Page 1, line 14.

Following: "applicant"

Insert: "who is not a hobbyist beekeeper and is"

3. Page 2, line 25.

Strike: "EXCEPT AS PROVIDED IN 80-6-114, A"

Insert: "A"

4. Page 3, line 2.

Following: "(b)"

Insert: "(i)"

Strike: "The"

Insert: "Except as provided in subsection (2) (b) (ii), the"

5. Page 3.

Following: line 3

Insert: "(ii) A hobbyist beekeeper is exempt from the
registration fee required in subsection (2) (b) (i)."

6. Page 9, line 7 through line 10.

Committee Vote:

Yes 17, No 3

Fiscal Note Required ____

SB0322001SC06482.hjd

Strike: subsection (4) in its entirety

Renumber: subsequent subsection

7. Page 9, line 18 through line 21.

Strike: "-- VOLUNTARY" on line 18

Strike: "(1)" on line 18 through "80-6-102." on line 21

Renumber: subsequent subsections

8. Page 10, line 14.

Following: "bees"

Strike: "i"

Insert: ". The department shall provide at least 24 hours' notice
to a private landowner before entering private land."

- END -



HOUSE STANDING COMMITTEE REPORT

April 14, 2009
Page 1 of 2

Mr. Speaker:

We, your committee on **Agriculture** recommend that **Senate Bill 55** (third reading copy – blue) be concurred in as amended.

Signed: _____

Representative Mike Jopek, Chair

To be carried by Representative John Fleming

And, that such amendments read:

1. Page 1, line 16.

Strike: "A"

Insert: "(1) Except as provided in subsection (2), a"

2. Page 1, line 21.

Insert: "(2) (a) A political subdivision may enter into a cooperative agreement with the department concerning the use and application of commercial fertilizers or soil amendments.

(b) Nothing in subsection (1) prevents a political subdivision from adopting or implementing zoning regulations or fire codes governing the physical location or siting of fertilizer manufacturing, storage, and sales facilities."

3. Page 2, line 28.

Following: "amendments"

Insert: ", except that a local government may enter into a cooperative agreement with the department of agriculture concerning the use and application of commercial fertilizers or soil amendments. This subsection is not intended to prevent or restrict a local government from adopting or implementing zoning regulations or fire codes governing the physical location or siting of fertilizer manufacturing, storage, and sales facilities"

Committee Vote:

Yes 15, No 5

Fiscal Note Required __

4. Page 5, line 9.

Following: "~~75-10-715(1)~~."

Insert: "The term also does not include the owner or operator of the Milltown dam licensed under part 1 of the Federal Power Act (FERC license No. 2543-004) if a hazardous or deleterious substance has been released into the environment upstream of the dam and has subsequently come to be located in the reservoir created by the dam unless the owner or operator is a person who would otherwise be liable for a release or threatened release under 75-10-715(1)."

- END -



HOUSE STANDING COMMITTEE REPORT

April 14, 2009

Page 1 of 1

Mr. Speaker:

We, your committee on **Agriculture** recommend that **Senate Bill 38** (third reading copy – blue) **be concurred in.**

Signed: _____

Representative Mike Jopek, Chair

To be carried by Representative Wanda Grinde

- END -

Committee Vote:

Yes 12, No 8

Fiscal Note Required ____

SB0038001SC03850.hjd



HOUSE STANDING COMMITTEE REPORT

April 14, 2009
Page 1 of 1

Mr. Speaker:

We, your committee on **Agriculture** recommend that **Senate Bill 300** (third reading copy – blue) be concurred in.

Signed: _____

Representative Mike Jopek, Chair

To be carried by Representative Edward Butcher

- END -

Committee Vote:

Yes 15, No 5

Fiscal Note Required ☐

SB0300001SC01326.hjd

HOUSE OF REPRESENTATIVES

Roll Call Vote

Agriculture COMMITTEEDATE 4/9/09 BILL NO SB343 MOTION NO. _____MOTION: Be Concurred In

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Representative Julie French		✓	
Representative Edward Butcher	✓		
Representative J. David Roundstone	✓		
Representative Russell Bean	✓		
Representative Timothy Furey	✓		
Representative Keith Regier	✓		
Representative John Fleming	✓		
Representative Lee Randall	✓		✓
Representative David Howard	✓		
Representative Krayton Kerns	✓		
Representative Janna Taylor	✓		
Representative Sue Dickenson		✓	
Representative Bob Wagner	✓		
Representative Mary Caferro		✓	
Representative Wendy Warburton	✓		
Representative Edith McClafferty	✓		
Representative Brain Hoven	✓		
Representative Margaret MacDonald	✓		
Representative Tony Belcourt		✓	
Chairmen Mike Jopek	✓		

HOUSE OF REPRESENTATIVES

Roll Call Vote

Agriculture COMMITTEEDATE 4/9/09 BILL NO SB167 MOTION NO. _____MOTION: Be Concurred In

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Representative Julie French	✓		
Representative Edward Butcher		✓	
Representative J. David Roundstone		✓	
Representative Russell Bean		✓	
Representative Timothy Furey	✓		
Representative Keith Regier		✓	
Representative John Fleming	✓		
Representative Lee Randall		✓	✓
Representative David Howard		✓	
Representative Krayton Kerns		✓	
Representative Janna Taylor	✓		
Representative Sue Dickenson	✓		
Representative Bob Wagner		✓	
Representative Mary Caferro	✓		
Representative Wendy Warburton		✓	
Representative Edith McClafferty	✓		
Representative Brain Hoven		✓	
Representative Margaret MacDonald	✓		
Representative Tony Belcourt	✓		
Chairmen Mike Jopek	✓		

HOUSE OF REPRESENTATIVES

Roll Call Vote

Agriculture COMMITTEEDATE 4/9/09 BILL NO SB222 MOTION NO. _____MOTION: Be Amended SB032204, ate parts
1-5 and 7

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Representative Julie French	✓		
Representative Edward Butcher	✓		
Representative J. David Roundstone	✓		
Representative Russell Bean	✓		
Representative Timothy Furey	✓		
Representative Keith Regier	✓		
Representative John Fleming	✓		
Representative Lee Randall	✓		✓
Representative David Howard	✓		
Representative Krayton Kerns		✓	
Representative Janna Taylor		✓	
Representative Sue Dickenson	✓		
Representative Bob Wagner	✓		
Representative Mary Caferro		✓	
Representative Wendy Warburton		✓	
Representative Edith McClafferty	✓		
Representative Brain Hoven	✓		
Representative Margaret MacDonald	✓		
Representative Tony Belcourt		✓	
Chairmen Mike Jopek		✓	

Failed 10-10

HOUSE OF REPRESENTATIVES

Roll Call Vote

Agriculture COMMITTEEDATE 4/9/09 BILL NO SB38 MOTION NO. _____MOTION: Be Amended SB003803 etc

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Representative Julie French		✓	
Representative Edward Butcher	✓		
Representative J. David Roundstone		✓	
Representative Russell Bean	✓		
Representative Timothy Furey		✓	✓
Representative Keith Regier	✓		
Representative John Fleming		✓	
Representative Lee Randall	✓		✓
Representative David Howard	✓		
Representative Krayton Kerns	✓		
Representative Janna Taylor	✓		
Representative Sue Dickenson		✓	✓
Representative Bob Wagner	✓		
Representative Mary Caferro		✓	
Representative Wendy Warburton	✓		
Representative Edith McClafferty		✓	✓
Representative Brain Hoven	✓		
Representative Margaret MacDonald		✓	✓
Representative Tony Belcourt		✓	
Chairmen Mike Jopek		✓	

HOUSE OF REPRESENTATIVES

Roll Call Vote

Agriculture COMMITTEE

DATE 4/9/09 BILL NO SB38 MOTION NO. _____

MOTION: Be Concurred In

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Representative Julie French	✓		
Representative Edward Butcher	✓		
Representative J. David Roundstone	✓		
Representative Russell Bean		✓	
Representative Timothy Furey	✓		✓
Representative Keith Regier		✓	
Representative John Fleming	✓		
Representative Lee Randall		✓	✓
Representative David Howard		✓	
Representative Krayton Kerns		✓	
Representative Janna Taylor		✓	
Representative Sue Dickenson	✓		✓
Representative Bob Wagner		✓	
Representative Mary Caferro	✓		
Representative Wendy Warburton		✓	
Representative Edith McClafferty	✓		✓
Representative Brain Hoven	✓		
Representative Margaret MacDonald	✓		✓
Representative Tony Belcourt	✓		
Chairmen Mike Jopek	✓		

AUTHORIZED COMMITTEE PROXY

I request to be excused from the Aggravation Committee

Committee because of other commitments. I desire to leave my proxy vote with:

Ed Butcher

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
SB 204		X	SB 38		X
SB 343	X				
SB 167		X			
SB 214	X				
SB 214 ^{SB 21401.ate} Amendment	X				
SB 214 ^{SB 21401.ate} Amendment		X			
SB 322 ^{SB 03 2204078} Amendment	X				
SB 322 ^{SB 03 2204(1-2-3-5)} Amendment	X				
SB 322	X				
SB 55 ^{SB 005503.ate} Amendment	X				
SB 55 ^{SB 005501.ate} Amendment	X				
SB 55		X			
SB 300	X				
SB 38 ^{SB 003803.ate} Amendment	X				

Rep.  Date 4/9/09

(Signature)

Lee Rumbell

**AUTHORIZED
COMMITTEE PROXY**

I request to be excused from the Ag. Comm.

Committee because of other commitments. I desire to leave my proxy vote with:

Rep. French

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

SB Amend. 3803.ate		X
SB 38	X	

BILL/AMENDMENT

AYE NO

Rep. Therese E. Hall
(Signature)

Date 4-8-09

**AUTHORIZED
COMMITTEE PROXY**

I request to be excused from the Ag. Comm.

Committee because of other commitments. I desire to leave my proxy vote with:

Rep. French

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT AYE NO

SBamend. 3803. etc		X
SB 38	X	
SB 204	X	

BILL/AMENDMENT AYE NO

Rep. May M. Leforno
(Signature)

Date 4-9-09

**AUTHORIZED
COMMITTEE PROXY**

I request to be excused from the Ag. Comm.

Committee because of other commitments. I desire to leave my proxy vote with:

Rep. French

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

SB 38 amend. 3803.ate		X
SB 38	X	

BILL/AMENDMENT

AYE NO

Rep. Shelickenson
(Signature)

Date 4-9-09

AUTHORIZED COMMITTEE PROXY

I request to be excused from the Ag. Comm.

Committee because of other commitments. I desire to leave my proxy vote with:

Rep. French

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

SB 38 amend. 3803.91e		X
SB 38	X	
SB 204	X	

BILL/AMENDMENT

AYE NO

Rep. Trinity P. French
(Signature)

Date 4-9-09

AUTHORIZED COMMITTEE PROXY

I request to be excused from the Agriculture

Committee because of other commitments. I desire to leave my proxy vote with:

Rep. Howard

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
SB 204		X

BILL/AMENDMENT	AYE	NO

Rep. Edward Butcher
(Signature)

Date 4-9-09